



December 22, 2005

Balbir Dhillon
35669 Carnation Way
Fremont, CA 94087

RE: MPP 2005-1208 for painting the roof at 415 E. El Camino Real

Dear Balbir Dhillon:

The Department of Community Development has reviewed your application for a Miscellaneous Plan Permit (MPP) for painting the roof of the *American Diner Restaurant* at the above address and has **denied** your request.

Staff could not make the following Finding:

Ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties.

The Finding is not made because the strong color of the roof is not consistent with the originally approved architecture and coloring and does not match the architectural style of a shake roof. The *Community Design Sub-Element* of the Sunnyvale General Plan notes: "The view from the road affects the daily lives of Sunnyvale residents and is one of the lasting images visitors have of the City" (Chapter 4). The following are from the *Community Design Sub-Element*:

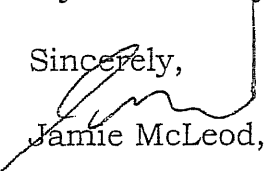
Action Statement C.4.r. Review building colors in the context of the scale of the building and avoid strong color which may be overwhelming at a larger scale.

Action Statement C.4.s. Encourage buildings where all of the design elements, such as colors, materials, style and ornamentation are unified and create cohesive, attractive and distinctive architecture.

You may appeal this decision to the Planning Commission by filing a written appeal within fifteen calendar days of the receipt of this notice. There is a \$113.00 filing fee for the appeal.

If you have any questions, please contact me at (408) 730-7429.

Sincerely,


Jamie McLeod, Associate Planner